

## MINOR SITE PLAN REVIEW



### 1) Purposes and Intent.

The purpose of Minor Site Plan Review is to achieve the basic health, safety and welfare objectives of Site Plan Review through a process that limits technical requirements, expense and time to an appropriate level for small, non-residential developments.

### 2) Applicability.

- a) Unless subject to MAJOR SITE Plan Review by the Planning Board under Section \_\_\_\_, any of the following shall require Minor Site Plan Review in accordance with this Bylaw:
  - (1) Any non-residential development that increases existing gross floor area by 200 square feet or less; or
  - (2) Any addition of up to three (3) parking spaces to a parking facility that serves a non-residential use.
- b) No building permit shall be issued for any development subject to this Section, and no construction or site preparation shall be started, unless a Site Plan has been approved for it in accordance with this Section.
- c) No occupancy permit shall be issued for any building subject to this Section unless such building and all its related facilities have been completed according to the approved Site Plan. No activity subject to site plan approval shall be conducted on the site unless, in the opinion of the Building Commissioner, the development or approved phase thereof has been substantially completed according to the approved Site Plan.
- d) Approval of a site plan under this section shall not substitute for the requirement of obtaining a special permit or other approvals as required by the Zoning Bylaw.

### 3) Procedures.

- a) The technical review process for Minor Site Plan Review shall be coordinated by the Town Planner.
- b) Applicants shall meet with the Town Planner regarding the materials and specifications for Minor Site Plan Review prior to submitting an application.
- c) Four (4) copies of a Minor Site Plan Review application package shall be submitted to the Planning Division, Department of Community Development, for review by the Town Planner, except that five (5) copies shall be submitted when a proposed project is located in the Historic Business District. Within five (5) working days of receiving a Site Plan, the Town Planner shall distribute copies of

- the Site Plan to the Department of Public Works, Board of Health, and Water and Sewer Commission, and where applicable, the Historic Business District Commission.
- d) The Town Planner may request comments from any other department or officer of the Town as he deems necessary in order to assure an adequate review of the applicant's plan.
  - e) Within twenty-eight (28) days of the date that the Minor Site Plan application is submitted to the Planning Division:
    - (1) The departments or officers identified in Section 3.c, and any others to whom the site plan was referred under Section 3.d, shall respond to the Town Planner in writing as to the appropriateness of the proposed development, given their respective areas of jurisdiction and expertise.
    - (2) The Planning Board shall hold a public hearing to consider the proposal, the Town Planner's recommendations, comments received from other reviewers, and comments from any other interested parties. Public notice of the Planning Board's hearing shall be in accordance with G.L. c.40A, Section 11. The Planning Board may approve the site plan as submitted by the applicant or approve it with conditions in the manner provided under Section \_\_\_\_.<sup>1</sup>
  - f) Within thirty-five (35) days of the date that the Minor Site Plan application is submitted to the Planning Division, the Town Planner shall report comments received from other town boards, departments and officers, and all conditions imposed on the site plan by the Planning Board pursuant to Section 3(e) above, to the Building Commissioner, except that with the applicant's concurrence, the review process may be extended for an additional period of up to 14 days.
  - g) One copy of the approved Minor Site Plan shall be provided each to the applicant, the Planning Board, Building Commissioner and Board of Health, and where applicable, the Historic Business District Commission.
  - h) If the Town Planner determines within 15 days of the date of receiving the site plan application that a proposed development involves unusual water, wastewater, traffic, drainage, lighting, or other conditions, or that it may have significant impacts of a nature that warrant MAJOR SITE Plan Review, he may transfer the

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<sup>1</sup> This language has been added to reinforce that the Planning Board's conditions have the same binding effect as conditions imposed under Development Plan Review. The section reference will be filled in later when a complete draft of the Zoning Bylaw is compiled.

application to the Planning Board for Development Plan Review in accordance with Section \_\_\_\_.<sup>2</sup>

- (1) If the Town Planner refers the application to the Planning Board for MAJOR SITE Plan Review, the 90-day review period under Section \_\_\_\_ shall be deemed to have commenced on the date that the Minor Site Plan Review application was submitted to the Planning Division.
  - (2) The applicant shall be responsible for furnishing additional copies of the Site Plan Review application package to the Planning Board and delivering copies to other town departments or officers in accordance with Section \_\_\_\_.<sup>3</sup>
- 4) Submittal Requirements. The site plan application package for Minor Site Plan Review shall include the following:
- a) Four (4) copies of a Site Plan proposal drawn at a scale not to exceed one inch equals 40 feet (1"=40'), except that five (5) copies shall be required when the proposed project is located in the Historic Business District. Each proposal shall include a scale bar, north arrow, date, and signature line.
  - b) The applicant for a Minor Site Plan Review is encouraged to provide as much information as the applicant deems appropriate, using the submittal requirements at Section \_\_\_\_ as a guide.<sup>4</sup> At minimum, the application shall include the following as applicable:
    - (1) A cover letter describing the nature and location of the project and the site, the zoning classification(s) that apply to the property, assessor's map and lot numbers, the name and address of the property owner and the applicant, if different from the property owner, and evidence of ownership or interest such as a deed, purchase and sales agreement, lease, or similar instrument, and evidence of the owner's authorization for the applicant to discuss proposed plans for the property with the Planning Board.
    - (2) A Site Plan that contains:
      - (a) Parcel lot lines for the proposed project site, and uses and ownership of abutting parcels.

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<sup>2</sup> Refers to Site Plan Review by the Planning Board.

<sup>3</sup> Refers to Section 4.b of Site Plan Review by the Planning Board.

<sup>4</sup> Refers to Section 5, Submittal Requirements, for Site Plan Review by the Planning Board.

- (b) If applicable, the location and design of drainage systems with drainage calculations prepared by a registered professional engineer.
  - (c) Existing and proposed layout of off-street parking areas on the project site.
  - (d) Location of existing and proposed buildings and public or private ways on the project site.
  - (e) Foundation lines of the proposed buildings, and gross floor area.
  - (f) Location of solid waste containers and outdoor storage areas, if any.
  - (g) If applicable, the location of wetlands and other areas subject to control under the Massachusetts Wetlands Protection Act, G.L. c. 131, Section 40, and Chapter 37, Chatham Wetlands Protection Bylaw, Section 37005, including regulatory buffer zones or setbacks from resource areas, in a form acceptable to the Conservation Commission; Flood Plain and Floodway boundaries; and erosion control measures.
  - (h) Location of existing and proposed utilities and storage facilities, including sewer connections, ONSITE WASTEWATER SYSTEMS septic systems, wells and any storage tanks.
  - (i) Location of all water resource protection areas, if any portion of the site is within 1,000 feet of a DEP Zone II, interim wellhead protection area or any surface water protection zone.
  - (j) Additional information may be required by the Town Planner, as reasonably necessary, to complete a review in accordance with this Bylaw.
  - (k) A table of information showing how the plan conforms to the Zoning Bylaw.
- 5) Site Plan Review Criteria. The Town Planner shall recommend to the Planning Board approval of a Site Plan, with or without conditions, upon finding that the proposed development complies with all applicable requirements of the Zoning Bylaw.
- 6) As-Built Plan. Prior to the issuance of an occupancy permit or the release of a construction bond, an as-built plan and a letter of certification shall be submitted to the Building Commissioner and the Planning Board by a registered professional engineer, registered architect, registered landscape architect or registered land surveyor, as appropriate to the work involved, that all work has been done substantially in compliance with the approved Site Plan. The as-built plan shall attest to a development's conformity to its approved site plan by indicating landscaping, buildings, drainage flow, number of parking stalls, and limits of parking areas and drives.

- 7) Duration of Approval. Site Plan approval shall become void if substantial construction has not commenced within two years from the date of issue, which two years shall not include time required to pursue or await determination of an appeal under the provisions of G.L. c.40A, Section 15. A request for extension of the date of completion must be submitted to the Planning Board in writing no less than 30 days prior to the date of expiration.
- 8) Fees. Minor Site Plan Review fees shall be governed and established by the Planning Board as part of its regulations and procedures and shall be assessed to the owner and/or the Applicant.
- 9) Appeals. Any person aggrieved by his or her inability to obtain Minor Site Plan Approval shall have the right to appeal to the Zoning Board of Appeals in accordance with the procedures set forth in G.L. c.40A, Section 8 and the Zoning Board of Appeals shall have the right to hear such appeals.